

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**IN RE NAMENDA INDIRECT PURCHASER
ANTITRUST LITIGATION**

SBF Action

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) **No.: 1:15-cv-06549-CM-RWL**
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**END-PAYOR CLASS PLAINTIFF'S MOTION FOR CERTIFICATION OF
SETTLEMENT CLASS, APPOINTMENT OF CLASS REPRESENTATIVE AND
CLASS COUNSEL, PRELIMINARY APPROVAL OF PROPOSED SETTLEMENT,
DEFERRING NOTICE AND STAY OF PROCEEDINGS**

Pursuant to Federal Rule of Civil Procedure 23, the End-Payor Class Plaintiff (“EPP Class”) respectfully moves for entry of a Preliminary Approval Order, appended hereto, which provides for:

- (a) Certification of a settlement class;
- (b) Appointment of the named EPP Class Plaintiff as representative of the Class;
- (c) Appointment as Co-Lead Counsel, the lawyers whom the Court previously appointed to those interim positions;
- (d) Preliminary approval of the proposed Settlement Agreement between the EPP Class and the Dr. Reddy’s Defendants;
- (e) deferring notice to the Class;
- (f) Appointment of A.B. Data, Ltd. to serve as claims administrator and to assist Class Counsel in disseminating Class Notice;
- (g) Appointment of Bank Leumi USA as escrow agent and the Escrow Agreement entered into between and among the Settling Parties;
- (h) Staying further proceedings against Defendants Dr. Reddy's Laboratories Ltd. and Dr. Reddy's Laboratories Inc., except as provided in the Dr. Reddy’s Settlement Agreement to implement the agreement.

In support of this motion, the EPP Class relies on the accompanying Joint Declaration of Marvin A. Miller and Peter Safirstein and the accompanying Memorandum of Law.

Plaintiff and the EPP Class also attach for the Court’s consideration a Proposed Order.

The proposed Dr. Reddy's Settlement Agreement is attached as Exhibit 1 to the Joint Declaration of Marvin A. Miller and Peter Safirstein.

Dated: August 31, 2020

Respectfully submitted,

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